

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln No.: 10/017,973
Applicants: Mitsuaki OSHIMA et al.
Filed: December 7, 2001
Title: MARK FORMING APPARATUS, METHOD OF FORMING LASER MARK ON
OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK AND
METHOD OF PRODUCING OPTICAL DISK
TC/A.U.: 2137
Examiner: Paul E. Callahan
Confirmn. No.: 9590
Docket No.: MTS-520US5

**PETITION UNDER 37 C.F.R. § 1.181 FOR CONSIDERATION OF
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents
BOX ISSUE FEE
Washington, DC 20231

S I R :

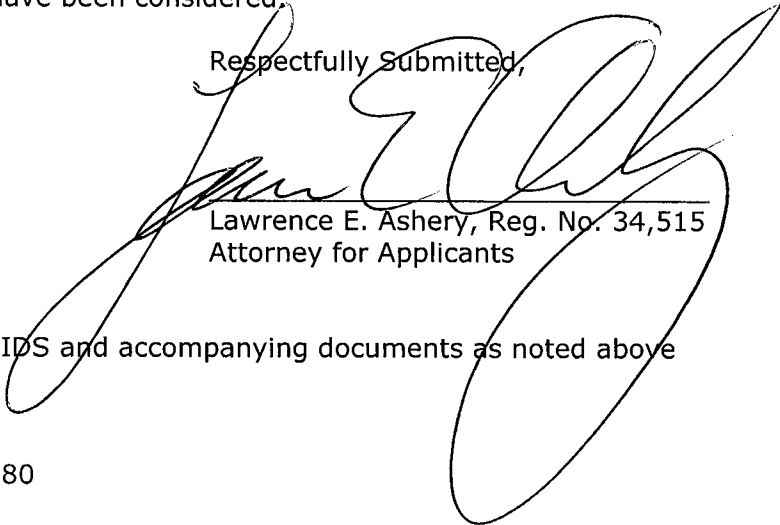
Applicants filed a Supplemental Information Disclosure Statement on April 24, 2008. A copy of the Supplemental IDS filed on April 24, 2008 along with a copy of the Electronic Acknowledgement Receipt is enclosed as evidence of receipt by the USPTO.

The Supplemental Information Disclosure Statement filed on April 24, 2008, although properly filed, has not been considered.

The Examiner is respectfully requested to consider the references enclosed with the originally filed IDS and to return the initialed Form PTO/SB/08a to the undersigned.

It is respectfully requested that issuance of the above-identified application be suspended until the IDS's have been considered.

Respectfully Submitted,


Lawrence E. Ashery, Reg. No. 34,515
Attorney for Applicants

LEA/nm

Enclosures: Supplemental IDS and accompanying documents as noted above

Dated: January 7, 2009

P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

Acknowledgement Receipt

The USPTO has received your submission at **11:32:24** Eastern Time on **24-APR-2008** by Deposit Account: 180350.

\$ **180** fee paid by e-Filer via *RAM* with Confirmation Number: 9013.

eFiled Application Information

EFS ID	3200489
Application Number	10017973
Confirmation Number	9590
Title	MARK FORMING APPARATUS, METHOD OF FORMING LASER MARK ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK AND METHOD OF PRODUCING OPTICAL DISK
First Named Inventor	Mitsuaki Oshima
Customer Number or Correspondence Address	Allan Ratner Ratner & Prestia P.O. Box 980 Valley Forge CA 19482 US 610-407-0700
Filed By	Lawrence E. Ashery
Attorney Docket Number	MTS-520US5
Filing Date	07-DEC-2001
Receipt Date	24-APR-2008
Application Type	Utility under 35 USC 111 (a)

COPY**Application Details**

Submitted Files	Page Count	Document Description	File Size	Warnings
IDS.PDF	2	Information Disclosure Statement Letter	61191 bytes	◆ PASS
IDS-1449.PDF	1	Information Disclosure Statement (IDS) Filed	64747 bytes	△ WARNINGS
This is not an USPTO supplied IDS fillable form				
0210629.PDF	8	Foreign Reference	441974 bytes	◆ PASS
fee-info.pdf	2	Fee Worksheet (PTO-06)	8223 bytes	◆ PASS

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

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- *Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail EBC@uspto.gov for specific questions about Patent e-Filing.*
- *Send general questions about USPTO programs to the [USPTO Contact Center \(UCC\)](#).*
- *If you experience technical difficulties or problems with this application, please report them via e-mail to [Electronic Business Support](#) or call 1 800-786-9199.*

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OF PRODUCING OPTICAL DISK
TC/A.U.: 2137
Examiner: Paul E. Callahan

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO/SB/08a form submitted herewith. A copy of each reference listed on the PTO/SB/08a form, other than U.S. patents, is enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

Reference EP 0 210 629 A2 is not in the English language, but an English translation thereof is attached to the copy of the reference submitted herewith.

Reference EP 0 210 629 A2 was cited by a foreign patent examining authority in connection with the examination of a counterpart of the above identified application. MPEP Section 609(a)iii, second paragraph.

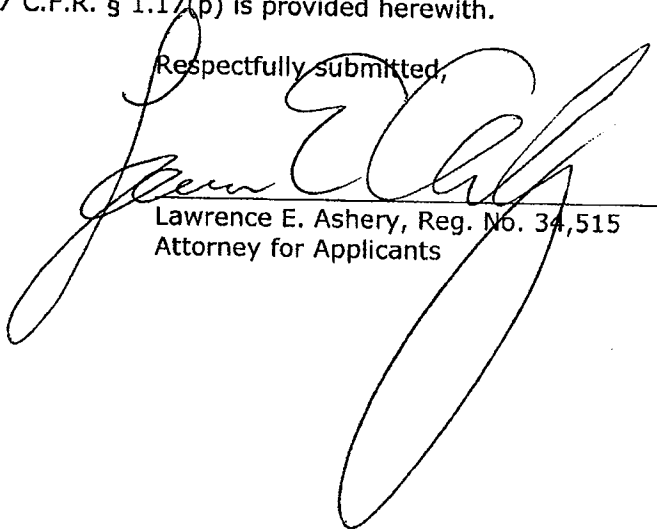
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STATEMENT UNDER 37 C.F.R. § 1.97(e)

The undersigned hereby states that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

The required fee set forth in 37 C.F.R. § 1.17(p) is provided herewith.

Respectfully submitted,


Lawrence E. Ashery, Reg. No. 34,515
Attorney for Applicants

LEA/nm

Enclosures: PTO/SB/08a
(1) Reference

Dated: April 24, 2008

P.O. Box 980
Valley Forge, PA 19482
(610) 407-0700

NM278097

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET 1 of 1

Complete if Known

Application Number	10/017,973
Filing Date	December 7, 2001
First Named Inventor	Miitsuaki Oshima et al.
Art Unit	2134
Examiner Name	Paul E. Callahan
Attorney Docket No.	MTS-620US5

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (If known)				
		EP 0 210 629 A2 (with complete English translation)	02-04-1987	Kabushiki Kaisha Toshiba		<input checked="" type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>
Examiner Signature				Date Considered		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

¹Applicant's unique citation designation number (optional).

² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).

⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.3.

⁶Applicant is to place a check mark here if English language translation is submitted.

*Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ED FORMS TO

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Electronic Patent Application Fee Transmittal

Application Number:	10017973			
Filing Date:	07-Dec-2001			
Title of Invention:	MARK FORMING APPARATUS, METHOD OF FORMING LASER MARK ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK AND METHOD OF PRODUCING OPTICAL DISK			
First Named Inventor/Applicant Name:	Mitsuaki Oshima			
Filer:	Lawrence E. Ashery			
Attorney Docket Number:	MTS-520US5			
Filed as Large Entity				
Utility Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

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Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Submission- Information Disclosure Stmt	1806	1	180	180
Total in USD (\$)				180

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